

County of Riverside  
3450 14<sup>th</sup> Street, Riverside, CA 92501

FOR COUNTY CLERK USE ONLY

## NOTICE OF EXEMPTION

September 22, 2022

**Project Name:** County of Riverside Aviation, North and Middle Apron Pavement Rehabilitation, French Valley Airport, Murrieta

**Project Number:** FM05191011913

**Project Location:** 37600 Sky Canyon Drive, east of State Route 79, Assessor's Parcel Number (APN) 963-030-010, Murrieta, Riverside County, California, 92563

**Description of Project:** On February 25, 2020, The Board of Supervisors approved the five-year design and engineering services agreement with C&S Companies for airport engineering, architectural, planning, and environmental services which includes design, construction administration, construction inspection of projects, planning and environmental services for the County's five airports. The attached work order is for design services for the French Valley Airport North and Middle Apron Pavement Rehabilitation Project (Project).

The purpose of this project is to design the North and Middle Apron areas currently exhibiting weathering and block transverse alligator cracking. The Middle Apron will be fully reconstructed, while the North Apron will receive rehabilitation by slurry sealing, crack filling, and pavement patches. No grading of shoulders or improvements outside of the existing pavement limits is anticipated, and no drainage improvements or BMP development is anticipated. The services to be provided by the Consultant shall include civil and geotechnical engineering services, as applicable, required to accomplish the design of this project.

The North and Middle Apron Pavement Rehabilitation Project is consistent with the Airport's Capital Improvement Program Master Plan. C&S Companies was selected by Request for Qualification as the County's Airport Project Consultant, per the Federal Aviation Administration's (FAA) five-year consultant selection criteria. The pavement rehabilitation to the north and middle apron at French Valley Airport is identified as the proposed project under the California Environmental Quality Act (CEQA). No additional direct or indirect physical environmental impacts are anticipated.


**Name of Public Agency Approving Project:** Riverside County

**Name of Person or Agency Carrying Out Project:** Riverside County Aviation

**Exempt Status:** State CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; Section 15302 Replacement or Reconstruction Exemption, Section 15061(b) (3), General Rule or "Common Sense" Exemption. Codified under California Code of Regulations Title 14, Article 5, Sections 15301, 15302, and 15061.

- **Section 15301 –Existing Facilities:** This Class 1 categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the previous site’s use. The project is the replacement and rehabilitation of existing transportation infrastructure at an existing airport. The improvements to north and middle apron will have the same purpose and substantially similar capacity, would be within the existing transportation infrastructure footprint, and would be consistent with the existing land use. Therefore, the project is exempt as it meets the scope and intent of the Categorical Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- **Section 15302 –Replacement or Reconstruction:** This Class 2 categorical exemption consists of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Under (c), replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. The project, as proposed, is the replacement and rehabilitation of an existing runway apron with new infrastructure in the same location with similar size and capacity. The improvements are part of an existing facility that provides transportation services. The replacement would have the same purpose as the existing transportation infrastructure and is being implemented to maintain an appropriate level of safety and operational efficiency. Therefore, the project is exempt as it meets the scope and intent of the Categorical Exemption identified in Section 15302, Article 19, Categorical Exemptions of the CEQA Guidelines.
- **Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the project may have a significant effect on the environment. The proposed new transportation infrastructure at the existing airport will not result in any direct or indirect physical environmental impacts. The rehabilitation of the airport apron would not increase the capacity of the site and would be installed to continue the safety and security of the existing transportation services at an existing County owned facility. The use and operation of the runway and apron will be substantially similar to the existing use and will not create any new environmental impacts. Therefore, in no way, would the project as proposed have the potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

The rehabilitation of the apron was also reviewed under the National Environmental Policy Act (NEPA) and found to be categorically excluded under 310e Airfield Improvements of FAA Order 1050.1E. The scope of work falls within the build, repair, or extend existing airport’s aprons, loading ramps, taxiway, or taxi lane provided they have only on-airport impacts and no unusual or extraordinary circumstances exist which would preclude the use of this categorical exclusion. Therefore, the County of Riverside hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA and excluded under NEPA. No further environmental analysis is warranted.

**Signed:**  \_\_\_\_\_ **Date:** 9-22-2022  
 Mike Sullivan, Senior Environmental Planner  
 County of Riverside